

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

UNITHERM FOOD SYSTEMS, INC.
1108 WEST HARTFORD AVE.
PONCA CITY, OKLAHOMA 74601
TELEPHONE: 580-762-0197
FAX: 580-762-0199
E-MAIL: unitherm@unithermfoodsystems.com



A WORLD OF STAINLESS STEEL PRODUCTS

August 20, 1998

Mr. Jeffrey Craft
PRETTY, SCHROEDER & POPLAWSKI
444 South Flower St., 19th Floor
Los Angeles, CA 90071-2909

Via Fax # 213-489-4210

Dear Sirs:

I offer the following so that there can be no confusion over the issue of Unitherm trade secrets.

Unitherm introduced an in-line smoking and roasting system to Armour Swift-Eckrich beginning in 1995 when we at Unitherm agreed to install an oven for evaluation of the process. At that time it was agreed with President Arni Mickelberg and Vice President Ted Berry that if the process produced the promised results, orders would be placed. Indeed, an order was to be placed, on information supplied by J. B. Weatherspoon, head of Research and Development at the time. The order, however, never was placed.

Armour Swift-Eckrich then re-visited Unitherm in February of 1998. At this time, they were shown the following equipment:

- A) In-Line Bag Stripper
- B) In-Line Purge Removal
- C) In-Line Smoke Applicator for Turkey Loaves
- D) Auto Indexer
- E) In-Line Continuous Convection Oven

Unitherm's position is that if Armour Swift-Eckrich uses any of the process technology learned at Unitherm then they would be in breach of their agreement. At the time of testing in 1995 and in 1998, Armour Swift-Eckrich was not using any of these in-line processes. However, it has become apparent that Armour Swift-Eckrich has selected an alternative supplier to Unitherm, having first gained the knowledge of the process from Unitherm. We have been told that we were disqualified from supplying because of a pre-existing relationship with a larger machinery supplier.

Visit our web site at www.unithermfoodsystems.com



U-04728

PTO-002276

Jeffrey Craft

Page 2

August 20, 1998

Would you acknowledge that the above events indeed have occurred? And would you accept that Armour Swift Eckrich should not pursue in-line smoking in the format of the processes introduced to Armour Swift-Eckrich by Unitherm?

Yours sincerely,

A handwritten signature in black ink, appearing to be "David Howard", enclosed within a hand-drawn oval.

David Howard
President

DH:GDP:SP

U-04729

Visit our web site at www.unithermfoodsystems.com

PTO-002277

LAW OFFICES

PRETTY, SCHROEDER & POPLAWSKI

A PROFESSIONAL CORPORATION

444 SOUTH FLOWER STREET, 19TH FLOOR
LOS ANGELES, CALIFORNIA 90071-2921

TELEPHONE (213) 622-7700

FACSIMILE (213) 489-4210

E-MAIL: DID@DID-IDIGW.COM

PATENTS, TRADEMARKS,
COPYRIGHTS AND
RELATED LITIGATION*ADMITTED ONLY IN
DISTRICT OF COLUMBIA
PENNSYLVANIA
VIRGINIALAURENCE K. PRETTY
ROBERT A. SCHROEDER
EDWARD G. POPLAWSKI
MARK GARCIA
JEFFREY P. CRAFT
MICHAEL J. MASDERMOTT
ANNE WANGPAUL D. TRIPODI II
MARC H. COHEN
J. CHRISTOPHER JAMES
MARC E. HANKIN
JEFFREY A. FINN
DONALD C. KORDICH
ANNA M. VRADENBURGH
LENA A. BASILE, Ph.D.
GREGORY S. CORDREY
MATTHEW C. LAPPLE
ERIC T. KINGRICHARD A. WALLEN
VIVIANA AMZEL, Ph.D.
COUNSEL

February 12, 1998

VIA FACSIMILE

CERTIFIED MAIL
RETURN RECEIPT REQUESTEDRichard Rosenthal
Rosenthal and Associates, Inc.
2680 Pacer Lane
San Jose, CA 95111

Dear Mr. Rosenthal:

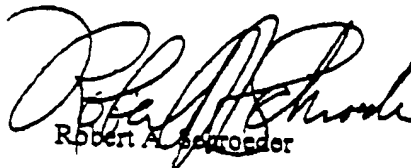
This firm represents Armour Swift Eckrich.

Our client has disclosed to you certain confidential and proprietary information relating to the browning of meat by using a combination of light and a browning agent, specifically Maillose and equivalents. Armour Swift Eckrich expects that you will fulfill your obligations to retain this information in confidence, that you will not disclose it publicly and that you will not disclose it to specific third parties including competitors of Armour Swift Eckrich.

It is our further understanding that you have indicated that you have filed a patent application based on the above information, which was disclosed to you by Mr. Prem Singh of Armour Swift Eckrich. We demand, in behalf of our client that any such patent application that you might have filed be withdrawn.

To put this matter to rest, we request that you immediately forward to us your assurances that you will respect your obligations of confidentiality and that no patent applications of the above nature remain pending.

Very truly yours,


Robert A. Schroeder
CONFIDENTIAL -
Attorneys Only

CRPF04672

RAS/dl

DEPOSITION
EXHIBIT

201 m 11

PTO-002278

UNITHERM FOOD SYSTEMS, INC.
1108 WEST HARTFORD AVE.
PONCA CITY, OKLAHOMA 74601
TELEPHONE: 580-762-0197
FAX: 580-762-0199
E-MAIL: unitherm@unithermfoodsystems.com



A WORLD OF STAINLESS STEEL PRODUCTS

June 1, 1998

Mr. Roy Cantou
ARMOUR SWIFT-ECKRICH

Via Fax # 630-512-1164

Dear Roy:

As you are aware, we had been working for several years to convince Armour Swift-Eckrich to purchase the in-line browning and smoking process. We have lobbied at every level of the business to encourage Armour Swift-Eckrich to take advantage of this technology. In our efforts, we have worked with your research and development people, showing the process and discussing further applications and further innovations.

It seems now, at the last hurdle, we have failed to secure the order. Of course, this is disappointing. My real concern is how we pre-qualify as a supplier, prior to introducing new technology to Armour Swift Eckrich. Both Prem Singh and Chris Salm had interest in other processes at UNITHERM. It seems wrong for both companies to waste resources if there exists a pre-condition to qualify as a supplier which we cannot meet.

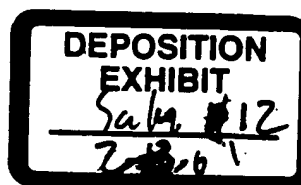
We had accrued some \$40,000 worth of time and expenses proving the above project. Would you do me the courtesy of advising us of the hurdles we need to overcome?

God bless,

David Howard
President

DH870RC

Visit our web site at www.unithermfoodsystems.com



U-04719

PTO-002279